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Tarrant County Texas

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D209197207

2 Pages



Suzanne Henderson

**AMENDMENT TO OIL AND GAS LEASE
(To Correct Land Description)**

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: Your social security number or your driver's license number.

STATE OF TEXAS

COUNTY OF TARRANT

**LESSOR: Tony Smith and wife, Linda Smith
6821 Cahoba Ct. E.
Fort Worth, Texas 76135**

**LESSEE: Finley Resources, Inc.
1308 Lake Street
Fort Worth, Texas 76102**

Effective Date: December 11, 2005

Lessee, named above, and XTO Energy Inc., are the present owners of an Oil and Gas Lease (the "Lease"), dated December 11, 2005, from Lessor, named above, which Lease is recorded in D206020259 of the Official Public Records of the county and state named above. Finley Resources, Inc. made a partial assignment of this lease to XTO Energy Inc. in Partial Assignment of Oil, Gas and Mineral Leases dated April 29, 2008, recorded in Instrument Number D208170280, Official Public Records of the county and state named above.

At the time the Lease was entered into, the description of the lands contained in the Lease was believed by Lessor and Lessee to cover, and was intended by them to cover, certain lands owned by Lessor.

Since the execution, delivery, and recording of the Lease, it has been discovered that the description of lands contained in the Lease does not adequately describe the lands Lessor and Lessee intended to be covered by the Lease. Lessor and Lessee desire to amend and correct the description of the lands contained in the Lease to accurately identify the lands to be covered by and subject to the terms of the Lease.

For adequate consideration, and the further consideration of the obligations and agreements contained in the Lease, Lessor acknowledges and agrees that the Lease shall cover, and the Lease is amended, so that it now covers the following lands in the county and state named above:

Being all of Lot 42R, Block 3, Lake Worth Leases, an addition to the City of Fort Worth, Tarrant County, Texas, as shown by plat thereof recorded at Cabinet A, Slide 5517, Plat Records of Tarrant County, Texas, containing 0.3375 acres, more or less.


Lessor ratifies, adopts, and confirms the Lease and extends the Lease to cover the lands described in this Amendment as if the description of lands set out above had been originally included in the Lease. Lessor grants, leases, and lets to Lessee, its successors and assigns, the lands described in this Amendment for the purposes of and on the terms, conditions, and provisions contained in the Lease.

This Amendment shall be binding for all purposes on Lessor and Lessor's successors, heirs and assigns.

This Amendment is signed by Lessor and Lessee as of the date of the acknowledgment of their signatures below, but is effective for all purposes as of the Effective Date stated above.

LESSOR:


Tony Smith


Linda Smith

D209197207

CURRENT LESSEE:

Finley Resources, Inc.

By: CHA

Printed Name: Clinton H. Koerth

Title: VP of Land & Acquisition

CURRENT LESSEE:

XTO Energy Inc.

By: James L. Death 1251

Printed Name: James L. Death,

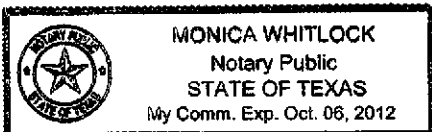
Title: Sr. Vice President - Land

THE STATE OF TEXAS

COUNTY OF TARRANT

Before me, the undersigned authority, on this day personally appeared Tony Smith and wife, Linda Smith, known to me to be the identical person whose names subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 21st day of July, 2009.

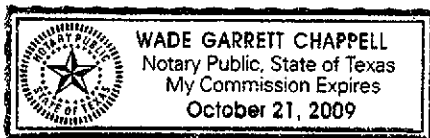


Monica Whitlock
Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on the 22nd day of July, 2009, by Clinton Koerth of FINLEY RESOURCES, INC., on behalf of said corporation.

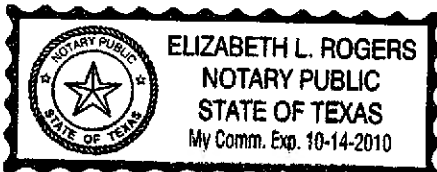


Wade Garrett Chappell
Notary Public, State of Texas

THE STATE OF TEXAS

COUNTY OF TARRANT

This instrument was acknowledged before me on the 23rd day of July, 2009, by Jimmy L. Death of XTO ENERGY INC, on behalf of said corporation.



Elizabeth L. Rogers
Notary Public, State of Texas